

B 2529
59 146
903

THE
NORMAL INSTITUTE MANUAL
OF
COLORADO SCHOOL LAW

BY
GEO. R. MOMYER

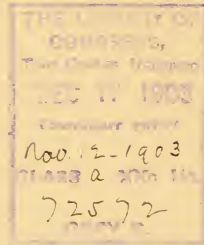
THE
NORMAL INSTITUTE MANUAL
OF
COLORADO SCHOOL LAW

BY
GEO. R. MOMYER



CRANE & COMPANY, PRINTERS
TOPEKA, KANSAS
1903

LB 2529
.C59M6
1903



26/6
8557

YRABE. 3H

2230000 Copyright 1903,
by

GEORGE ROBERT MOMYER.

COLORADO SCHOOL LAW.

The following outline is to be used in connection with the state edition of the school law (1903) and the State Superintendent's report (1901-1902). Superintendents will be found ready to accommodate teachers by providing copies of these books.

Every teacher is entitled to one copy of the school law for his school library. There is no better school report printed than the last biennial report by the State Superintendent of Colorado. This report is referred to so many times in this manual, that it will be found necessary to have a copy at hand.

It is suggested that for institute work, the county superintendents establish a school-law reading-room, placing all available copies of the school law and of the State Superintendent's report in this room, where the teachers may have access to them.

This manual is complete to date (December, 1903). It is hoped that it may contribute to the interest of the work in the institute, and that it may be of no little service in encouraging the home study of school law.

INSTITUTE OUTLINE.

I.

STATE BOARD OF EDUCATION.

(95.)

1. Who are members? 12¹.
2. When and where are meetings held? 12².
3. What power has the Board in regard to diplomas and certificates? 12³, 13⁴⁻⁵.
4. In regard to appeals? 69⁸⁸, 70⁸⁹, S.47, S.177.

COUNTY SUPERINTENDENT.

(4, 28, 31, 33, 34, 35, 38, 39, 44, 45, 46, 49, 50, 52, 63, 110, 116, 147.)

5. How is a vacancy in this office filled? 19¹⁴.
6. State six duties of the superintendent.
7⁶, 23¹⁸⁻¹⁹⁻²⁰, 25²⁴.
7. What records must he keep? 22¹⁸, 23²⁰.
8. Under what conditions may he appoint directors?
24²³, S.196²⁰.
9. Might there be a vacancy in the district board that the superintendent would not have the power to fill? 24²³.
10. What compensation does your county superintendent receive? 117^{14, 15}.
11. A superintendent of another county may receive a greater salary; why? 117¹⁴.

NOTE.—S. denotes State Superintendent's report; numerals refer to page and section, or page and paragraph. Numerals without S. refer to the School Laws (1903.) Numerals underneath topics refer to the other questions in this outline.

12. Give process of an appeal from the district board to the county superintendent. 68⁸²⁻⁸⁷.

II.

STATE SUPERINTENDENT.

(1, 24, 71.)

13. Who are members of the State Board of Land Commissioners? 8⁹.

14. Why should the State Superintendent be a member of this Board? S.19.

15. Are the school-law decisions by the State Superintendent final? 15⁸.

16. Who prepares the state and county examination questions? 15⁸.

17. State amount of bond executed. 14⁷.

18. What salary is received? (\$3000.)

19. Why does not the superintendent supply teachers with copies of the school law? 16⁹.

20. Describe the State Superintendent's report for 1901-1902.

21. State five duties of the Superintendent. 61⁻³, 12¹, 13⁴, 15⁸, 16⁹, 16¹⁰, 17¹¹, 65⁸¹, 66⁸¹, 67^{81c}, 96³, 99¹⁰.

22. What provision is made to enable the Superintendent to keep in close touch with the various sections of the state? 16¹⁰.

CERTIFICATES AND DIPLOMAS.

(3, 16, 21, 55.)

23. What religious test may be required of a teacher? 7⁸.

24. Who are members of the State Board of Examiners?

25. How may a state diploma be secured?

12³, 13⁴, 99¹⁰.

26. What is a complimentary state diploma? 13⁴, S.42.

27. State qualifications required of teachers of kindergarten schools. 106¹, S.329.

III.

28. When are county examinations held? 19¹⁵.

29. What classes of certificates are granted? 20¹⁶.

30. What certificates may be granted but twice to the same person? S.184²⁴.

31. Discuss renewal, certificate of like grade, district certificate, temporary certificate.

20¹⁵, 21¹⁶, S.184²⁸, S.185³⁴, S.186⁴⁸.

32. Where must the county examination be held?

19¹⁵. Exception, 20¹⁵.

33. State what is required of applicants at this examination. 19¹⁵.

34. What is recorded in the superintendent's certificate record book? (Ask your superintendent.)

35. For what reasons may a certificate be revoked?

21¹⁶, S.189⁶⁹.

36. What branches may one who has no teacher's certificate teach in the public schools? 51⁶⁰.

37. A teacher from another state desires to accept the principalship of a Colorado high school in a city of the first class. Is there any way by which he can escape the Colorado examination? 22¹⁶.

SCHOOL RECORDS.

(7, 20.)

38. How are school blanks, registers, etc., provided?
16⁹.

39. Discuss the relation between teacher's reports, reports of the district clerk, and the county superintendent's reports. 48⁵⁶, 52⁶¹, 22¹⁸.

40. How may a resident of a district of the second or third class ascertain the financial condition of his district? 50⁵⁸.

41. How may a resident of a district of the first class secure this information? 42⁴⁷.

IV.**SCHOOL DISTRICTS.**

(60, 61, 74, 76, 77, 85, 87.)

42. How many school districts in Colorado? S.70.

43. How are districts classified? 36⁴¹, 37⁴².

44. How may a new district be formed in unorganized territory? 27²⁷, 28²⁸, 125.

45. How may a new district be formed from territory already organized? 27²⁷, 28²⁸, 122, 124, 125, S.237¹⁷.

46. In dividing a district, state restrictions relating to:

1. Area (or valuation). 28²⁸.

2. Number of persons of school age. 28²⁸.

3. Government lines. 29²⁸.

4. City or town. 29²⁸.

5. District of the first class. 29²⁸.

47. How are school districts numbered? 28²⁸.

48. A first-class district and a third-class district are

united: What provision is made for a school board for the new district? 29²⁹.

49. How may territory be annexed to a school district? 30²⁹.

50. How soon must a school be established in a new district? 30³⁰.

51. What is the penalty for failure to establish the school in the time designated? 30³⁰.

52. May the time be extended? 30³⁰.

53. May a district close its school for one year?

30³⁰, 62⁷⁵.

54. What is a joint district? 31³¹.

55. Suppose nine-tenths of the area of a joint district is in Otero county, the other one-tenth and the school-house being in Bent county: in which county must the teacher secure his certificate? 31³¹.

56. When is the annual school meeting held? 38⁴⁴.

57. When may a special meeting be held? 53⁶², 127⁷.

58. What business may be transacted? 38⁴⁴, 53⁶³.

59. What are the qualifications of electors at this meeting? 5¹, 11⁷.

V.

SCHOOL BOARDS.

(8, 9, 12, 39, 40, 41, 48, 56, 58, 75, 103, 105, 106, 110, 116, 131.)

60. How many directors constitute a school board in a district of the first class? In a district of the second or third class? 36⁴¹.

61. Discuss the manner of election and the term of

office of a school director in a district of the first class.
In a district of the second or third class. 36⁴¹.

62. How soon after election must a director qualify?

41⁴⁷, S.201⁴³

63. How are vacancies in the board of directors filled?

42⁴⁸, 24²³, S.201^{35, 38}, S.204⁶⁵.

64. Name ten powers of the school board.

42⁴⁸, 43⁵¹, 103¹, S.197¹, S.206⁸³, S.247¹², S.248¹⁸.

65. Give two duties of the president. 46⁵³.

66. Give three duties of the secretary. 47⁵⁵.

67. Give two duties of the treasurer. 50⁵⁸.

68. May a school director deal in the school warrants of his district? 78¹.

SCHOOL RESOURCES.

(21, 38, 58, 119, 138.)

69. Of what does the public school fund consist?

7⁵, 47¹⁴, (54⁶⁴, 56⁶⁷, 59⁶⁹, 112⁷).

70. If bonds forming a part of the state school fund should become worthless, should this diminish the school fund? 6³, S.20³, S.619².

71. How is the state school fund apportioned? When?

17¹¹, 61⁷³.

VI.

72. The money belonging to the various districts of the county is intrusted to whose care? 6⁴, 26²⁶, S.215².

73. What is the county school tax? By whom levied?

54⁶⁴, 115³, S.245²⁸.

74. If a district fails to certify a special tax, how may the matter be remedied? 55⁶⁴.

75. Who must certify the amount of tax necessary?

56⁶⁷, 60⁷⁰.

76. By whom is the district tax levied? 56⁶⁷, 72⁹².

77. What provision is made to prevent districts from getting in debt? 58⁶⁸.

78. What is the legal rate of interest? 113¹.

79. What fines and penalties are paid into the school fund? 59⁶⁹, 107¹.

80. For what purposes must the general fund not be used? Exception? 60⁷¹.

81. By whom is the union or county high school tax levied? 34³⁷, 112⁷, 116².

82. What is the limit of school taxation?

56⁶⁷, 112^{7, 8}, 115³, S.243^{13, 14}.

83. The statement, "Otero county belongs to class six," would have what meaning to a board of county commissioners? 114^{2, 3}.

84. Who are qualified to vote for or against the issuing of bonds? 11⁷, S.180¹⁴.

85. A district votes bonds to build a school-house. After a time the district boundaries are so changed as to place part of the original district in an adjoining district. Must this portion, now outside of the district, be taxed to help pay these bonds? 74⁹⁵, S.179⁴.

86. How may school bonds be refunded? 76⁹⁹.

87. In order to vote bonds, how many voters must reside in the district? 70⁹⁰, S.180¹⁵, S.181¹⁶.

VII.**PUBLIC SCHOOLS.**

(19, 21, 27, 36, 50, 51, 53, 104, 129, 130, 131, 133, 135, 136, 137, 138, 139, 140.)

88. What is the legal school age? 6².

89. What provision is made for establishing kindergartens? 106¹.

90. Define public school. 62⁷⁶.

91. The public school is open to whom? 62⁷⁷.

92. What subjects are taught? 63⁷⁸, 19¹⁵.

93. Give the law requiring instruction in regard to:

1. Alcoholic drinks and narcotics. 79^{1, 2}.

2. Humane treatment of animals. 63⁷⁸.

94. When are free text-books provided?

44^{51, 9}, S.251⁴.

95. May Colorado have state uniformity of text-books? 9¹⁶, S.251³. (See discussion of text-book laws in Part II of this book.)

96. How are school libraries provided for? 57⁶⁷.

97. Define school year, month, week, day. 63⁷⁹, S.256⁵.

98. For what holidays may pay be received?

64⁷⁹, S.222^{1, 8}.

99. What provision is made concerning Arbor Day?

80^{1, 3}, S.222⁸.

100. Define school census. 64⁸⁰, S.181³.

101. What provision is made against sectarian teaching and concerning religious service? 7⁸, S.177, S.178.

102. May a pupil of whom the compulsory law would require attendance be expelled from school? S.190².

103. Who prescribes the course of study?

43⁵¹⁻², S.196^{4, 5}.

VIII.

104. Give the conditions required in a teacher's contract? 132, 133, S.250³⁹.

105. Is a teacher's contract made before the annual election a legal contract?

S.191², S.192¹¹, S.193¹³, S.249²⁵.

106. Give limit of the teacher's authority. S.202⁵³, S.203⁶¹, S.207^{1, 2}, S.224², S.225⁵, S.226^{12, 13}, S.247⁹, S.249³⁰, S.250³⁴.

PUBLIC HIGH SCHOOLS.

(81.)

107. What is a district high school? 45⁵².

108. How is a union high school established? 33³³.
How maintained? 34³⁷, S.266.

109. What special provisions apply to counties of the fourth and fifth classes? 110¹, 115¹, 116²⁻⁶.

110. What is a union high school committee? How elected? 33³³.

111. How are vacancies in this committee filled? 33³⁴.

112. State the powers of the committee. 34³⁶.

113. For how many months in each year may a union high school be maintained? 35³⁸.

114. Who may be admitted as students? 35³⁸.

115. Give in detail the method of establishing a county high school in counties of the fourth and fifth classes. 110¹.

116. How is the county high school committee elected?
110².

117. What is the term of office? 111³.

118. What are the powers and duties of the county committee? 111⁵.

119. How is the county high school maintained?
112^{7, 8}.

IX.

STATE SCHOOLS.

(21.)

120. Name, locate, and give purpose of each of the state educational institutions.

102^{1, 3}, 95^{1, 16}, 91^{2, 14}, S.14, S.71.

NORMAL INSTITUTES.

121. Time and place of holding the institute. How determined? 65⁸¹.

122. What constitutes an institute district? 64⁸¹.

123. How many institute districts in Colorado? S.420.

124. Name the counties in your institute district.
S.397-421.

125. Discuss organization and duties of the normal institute committee. 65⁸¹.

126. By what funds is the institute supported?
66⁸¹, 67^{81a, b, c}.

127. By whom are conductors' and instructors' certificates granted? 66⁸¹, S.43.

X.

COMPULSORY EDUCATION.

(102.)

128. Under what conditions is it unlawful to employ children under fourteen years of age? 85².

129. For how much time in each school year must a child be sent to school? 84¹.

130. What exceptions are made. 84¹.

131. Who secures the prosecution of offenses under this law? (In third-class districts it is the duty of the school director, although any resident of the district may initiate proceedings. In districts of the first and second class a truant officer is appointed.)

132. What qualifications must employers require of minors between the ages of fourteen and sixteen? 85³.

133. Define juvenile disorderly person. 86⁴.

134. Discuss the commitment of a juvenile disorderly person:

1. To a children's home. 88⁷.

2. To the industrial school. 88⁷.

135. In what cities may truant schools be established?
90¹, 95¹².

136. How established? 95¹², 90².

137. By what process may a student be enrolled in the truant school? 91⁵.

138. How is the expense of maintaining this school provided for? 90², 93⁷.

139. In what two ways may a pupil be discharged from this school? 94^{9, 11}.

140. Have the compulsory laws secured the results intended? S.15.

COLORADO.

STATE OFFICERS.

| 1903-1905 | <i>Salary.</i> |
|--|----------------|
| Governor, James H. Peabody..... | \$5,000 00 |
| Lieutenant-Governor, Warren A. Haggott..... | 1,000 00 |
| Secretary of State, James Cowie..... | 3,000 00 |
| Treasurer, Whitney Newton..... | 6,000 00 |
| Auditor of State, John A. Holmberg..... | 2,500 00 |
| Attorney-General, Nathan C. Miller..... | 3,000 00 |
| Superintendent of Public Instruction, Helen L. Grenfell, | 3,000 00 |

SUPREME COURT.

| | |
|--------------------------|----------------------|
| Chief Justice..... | John Campbell |
| Associate Justices | { William H. Gabbert |
| | { Robert W. Steele |

U. S. SENATORS.

Thomas M. Patterson (1901).

Henry M. Teller (1903).

U. S. REPRESENTATIVES.

John F. Shafroth, District I.

Herschel M. Hogg, District II.

Franklin E. Brooks, Congressman-at-large.

SOME CURRENT TOPICS IN GENERAL SCHOOL LAW.

Colorado with an equal school population, and with an educational system but half as old, has expended six times as much money for school buildings as has Florida. Colorado is a type of the North and of the West in its generous support of the public schools and in its willingness to bear the heavy and continual burden of an adequate system of school taxation. In Florida before 1886 no county school tax was levied. By 1890 only six counties were levying the maximum five mills and no district tax was levied. In 1902, forty-three counties levied a county tax and two hundred and twenty-six districts levied a district tax. In 1904 a constitutional amendment will be submitted to provide for raising the county tax limit to seven mills.

School
taxation.

Florida is a type of the South in its lack of local taxation, and in its increasing willingness to assume that burden. The South has had to face tremendous obstacles in providing for its schools: 1. Two races must be educated in separate schools at double expense. 2. The necessary school fund must be supplied almost entirely by one race. 3. On account of the most deep-seated opposition to local taxation, this fund, until recently, has depended upon a state tax, miserably inadequate for the purpose.

The South is to-day meeting these difficulties with com-

Education of
the negro.

مندable courage and with the most gratifying success. Since 1870 it has expended one hundred and thirty million dollars for the education of the colored race. Much of this has undoubtedly been wasted in the effort to adapt the negro to the white man's education, rather than to adapt the education to the capability of the race. Schools like the Florida State Normal and Industrial School, which omits all of the Greek and much of the Latin, and introduces some sixteen industrial courses, are preparing colored teachers to give the kind of training that is best adapted to meet the needs of their people.

Compulsory
education.

Compulsory education laws have not been passed in that part of the Union south of Mason and Dixon's line and east of the Kansas City meridian (excepting Kentucky, Delaware, West Virginia, District of Columbia, and one county in Maryland.) Every state outside of this territory (except Texas) has an efficient compulsory law now in force. The Northern states are constantly improving their compulsory laws, almost all of them this year extending the required attendance to include the entire time that school is in session, and many of them providing truant officers for rural, as well as for city schools. On account of the limited school fund at their disposal, the people of the South dare not pass a compulsory law, for fear of cutting in two the very short school term of the children who are already attending school. Considering the great need of such a law, the growing sentiment in favor of it, and the decided improvement in methods of taxation, there is little doubt but that in a very few years compulsory education will be established in the South as well as in the North.

•

The Indiana compulsory law has brought *fifty thousand* pupils into the schools each year since its adoption, increasing the cost of school maintenance nearly half a million dollars per year. It will readily be seen what the result would be if Indiana should force these pupils into school when she was unable to provide the means for their education.

Closely connected with the idea of compulsory education are the child-labor laws. Such laws are in force in all the states with the exception of North Carolina. In that state in 1902, in the cotton mill and factory districts, three-fourths of the children were reported "not in school." A law to forbid child-labor under such conditions would be of little value unless supplemented by a compulsory-education law. North Carolina's State Superintendent strongly advocates the early enactment of the two laws; maintaining that the one would be ineffectual without the other.

Child-labor laws.

The consolidation of rural schools and the transportation of pupils to the central school at public expense is provided for by law in twenty-two states; Massachusetts alone expending *one hundred and sixty thousand dollars per year* for the transportation of pupils to and from school. Pupils are transported at public expense in nearly half the counties in Indiana. New York state, with over three thousand of her schools having an average attendance of less than ten pupils, and Wisconsin with eight hundred and fifty schools having an average attendance of less than eleven pupils, are among the experimenting states.

Consolidation of rural schools and transportation of pupils to central schools at public expense.

It is in the schools of the Central West and of the South

that laws for consolidation have met with the greatest favor. It is in these same states that another movement, largely growing out of this one, is gaining strength and bids fair to exert a tremendous influence on the rural schools. The centralizing of the rural schools has made possible the rural high school. The course of study for this high school, originally modeled after the city high school course and forming the connecting link between the common school and the State University, is being modified in such a way as to give the major emphasis to work along agricultural and industrial lines. In Minnesota and in Alabama, *Agricultural High Schools* are established as the *connecting link* between the *rural schools* and the *State Agricultural College*. The argument is that the old system tends to attract the boys and girls to the life in the city and away from the life on the farm. The new system claims to return to the farm 90 per cent. of its enrollment, and to keep in school many of the older pupils who ordinarily would not take the High School course.

Alabama has an Agricultural High School in each congressional district. In Wisconsin the Dunn County Agricultural High School and the Marathon County Agricultural High School are notable results of this movement. Housed in magnificent new buildings, thoroughly equipped, and handsomely supported by the people, they have every opportunity to bring their purpose to a successful issue. The Wisconsin schools were provided for by legislative act in 1901. In these schools but two lines of academic work are taken up, the remainder of the work being agricultural or industrial.

This brings us to a discussion of the industrial school movement. Industrial schools.

Saxony, Germany, about four times as large as Pueblo county, has *two hundred and eighty-seven industrial schools*. The expenditure of over a million dollars per year for industrial training schools in the United States, the tremendous growth of the manual-training movement, and, not the least significantly, the Agricultural High Schools, show a tendency of our people to emphasize the industrial side of education. Our schools are preparing to answer the world's question, "What can you do?" as well as the school's question, "What do you know?"

Text-books are conceded to be an essential part of the school machinery. School patrons can testify that in most cases they are an unnecessarily expensive part, considering the number and the mechanical quality of the books they buy. The text-book problem.

This problem is approached in several ways. In Wisconsin seventeen hundred districts outside of the cities are furnishing free text-books to their pupils. Massachusetts, Pennsylvania and Nebraska furnish free text-books to all pupils in their public schools. The magnitude of the financial question involved is seen in the fact that Pennsylvania alone expends in a year nearly a million dollars for text-books. The great saving accomplished is demonstrated by the reduction of the cost of all the text-books needed by the average Pennsylvania pupil in one year to *only seventy-one cents*. Free text-books.

Ohio stipulates that the maximum price of text-books must not exceed seventy-five per cent. of the wholesale

price, and limits dealers to a profit of ten per cent. The California state constitution requires that the text-books used in the primary and intermediate grades shall be compiled and published by the state and furnished to the children at the cost of publication.

Uniformity of
text-books.

Some twenty states have authorized state uniformity of text-books. The prices determined in five of these states for some of the seventh and eighth grade text-books are given below:

| | <i>North Carolina.</i> | <i>Oregon.</i> | <i>California.</i> | <i>Indiana.</i> | <i>Texas.</i> |
|--------------------|------------------------|----------------|--------------------|-----------------|---------------|
| Arithmetic..... | .45 | .45 | .50 | .45 | .50 |
| U. S. History..... | .40 | 1.00 | .80 | .65 | .80 |
| Grammar..... | .50 | .60 | .55 | .40 | .50 |
| Geography..... | .85 | 1.20 | 1.20 | .75 | .81 |
| Physiology..... | .45 | .50 | .60 | .60 | .80 |
| Speller..... | .15 | .22 | .30 | .10 | .15 |

The figures given should be of interest to the patrons of the Colorado schools in view of the prices they are now paying for school books.

The Colorado state constitution withholds from the General Assembly and the State Board of Education the power to prescribe text-books to be used in the public schools, but it does not deny to the General Assembly the power to authorize some other means than the State Board to perform this service. Utah, with the same provision in her constitution, has incorporated in her statutes one of the most satisfactory text-book laws yet enacted. The Utah law provides that the State Superintendent, the county superintendents,

and the principal of the State Normal School shall form a commission to decide what text-books shall be adopted in the district schools; and it makes the use of the adopted books mandatory in all district schools of the state except in cities of the first and second class.

The usefulness of text-books is multiplied many times when they are supplemented by a well-selected library. The forty-five million volumes in the public libraries of the United States are evidence of the confidence of the American people in the public library as an aid in securing an education.

The public
library.

Twenty-one states by legal enactment have provided for library extension. Kansas has ten thousand volumes in her traveling libraries. New York state has added sixty thousand volumes since 1893. Iowa has provided twelve thousand volumes, distributing them among small libraries, classified as libraries for general reading, and libraries for study reading. Minnesota's traveling libraries of twenty-five to fifty volumes each are loaned to any village, town or community that will give proper guarantee and be responsible for the care and safe return of the library. Anyone in Minnesota desiring material on some special subject may write to the State Library Commission. References will be looked up and magazines will be loaned to anyone who will pay the transportation charges, thus carrying on in a way a reference library for the state. Each school district expending forty dollars or less in a year for library books receives a state warrant for a sum equal to half the amount expended.

Traveling
libraries.

North Carolina has set the pace for all the states in the

Rural school
libraries.

establishment and the support of rural libraries. The law provides that whenever the school or the community shall raise ten dollars for the purchase of library books, this sum shall be supplemented by equal contributions from district and state funds, making thirty dollars available at once. When the books are purchased, the county must supply a neat bookcase from county funds. Provision is made for an addition to the library in the same way that the first fund of thirty dollars is raised. The plan has been tried during the past year and is very highly commended by both teachers and patrons.

Teacher's qualifications and examinations.

The value of text-books and of libraries depends in the highest degree upon the teacher who directs their use. The true qualifications of a teacher to use books as a means of teaching children are not to be summed up in mere statements or in figures. Legal qualifications are nevertheless defined, and are supposed to show approximately the ability of the teacher to do the work.

Most of the states provide for examination of teachers by county superintendents or by county examining boards, in most cases using questions prepared by the State Superintendent. Rhode Island and Minnesota are two notable exceptions, in that they require that all examination papers shall be graded by state authorities. This would seem to be a remedy for the present lamentable lack of uniformity in so many states in the grading for county certificates. The impossibility of uniform grading for state certificates has compelled twenty-three states to refuse to honor state certificates from other states. The wisdom of such action is realized when it is known that the qualifications required

in some states for state certificate are scarcely above those required in other states for first-grade county certificates.

Everywhere is noted the disposition to raise the standard of qualifications required. This year additional studies have been added, the age requirements have been raised, and the temporary certificate abolished in many of the states.

The enforcing of these laws has very materially diminished the number of qualified teachers and has consequently tended to favor an increase in the salaries paid. Teachers' salaries are as a rule too low to be consistent with the qualifications required. The teacher expends his wages for his living and for expenses necessary to the better preparation for his work, and is unable to accumulate savings that he may utilize when old age or disability retires him from the school. The proper solution of this problem is agreed to be the payment of wages commensurate with the qualifications required and the services rendered. We are quite sure that the pension plan is repugnant to most teachers, and yet as it is now adopted in most of the great cities and in some of the states, it presents many favorable features and few that may be condemned. Pensions.

Florida in 1901 passed a law entitled "An Act for the Relief of Aged Teachers." This law provides that teachers having taught part of each year for twenty years prior to January 1st, 1900, in the public or private schools of Florida, shall be entitled to receive a life certificate to teach in the primary and intermediate grades. This is practically a provision to enable the teacher to *earn his own pension*.

Superintendent Sheats characterizes it as "an act to confer the special privilege upon incompetent teachers . . . to cease from studying and to impose themselves upon gullible parents and innocent children for the balance of their natural lives."

The inference is that teachers should leave the school-room as persons retire from other walks in life when their days of active usefulness are over. It is argued, then, that for the good of the schools some inducement should be present at this period to insure retirement, before the school work is permitted to deteriorate on account of the disability of the teacher. The teacher's pension is perhaps the best incentive that has yet been tried.

New Jersey is paying out \$15,892.25 per annum to the fifty-two annuitants on her pension list. Teachers accepting the provisions of the law pay one or two per cent. of their annual salaries into the pension fund, the percentage depending upon the time they have taught before enrolling. The trustees of the fund are the State Superintendent, three members of the State Board of Education and three members chosen from the State Teachers' Association.

Annuities are available after a teaching service of twenty years and on proof of mental or physical incapacity to earn a sufficient livelihood. Each annuity is equal to one-half the average annual salary received by the teacher for the five years immediately preceding his retirement, and must not be less than two hundred and fifty dollars nor more than six hundred dollars. Last year there

were three thousand two hundred and six teachers in New Jersey paying dues into this retirement fund. The longest teaching service recorded for an annuitant is fifty-eight years by a Morris county teacher. The highest annuity paid is six hundred dollars to an Essex county teacher with twenty-one years of teaching to her credit. This teacher received an average salary of thirteen hundred dollars per year for the last five years before her retirement.

The Ohio state law requires that dues of two dollars per month be deducted from the teacher's salary by the school board, beginning with the formal acceptance by the teacher of the provisions of the pension law.

Ohio requires thirty years of service before retirement, and pays a maximum annuity of five hundred dollars. The application of the law is under the direction of the school boards.

COLORADO SCHOOL LAW EXAMINATION QUESTIONS.

1897.

MARCH.

1. What are the requirements of the compulsory education law?

2. Who are the members of the Board of Education? What are the duties of the school board? How are district schools classified? When does the school year begin?

3. When was the free Kindergarten law passed? What are its provisions?

4. Give the substance of the act authorizing school directors to purchase and display United States flags upon school buildings.

5. How does the law provide for the inculcation of temperance principles? How long has Arbor Day been observed in Colorado?

AUGUST.

1. When was the State Normal School established?

2. What provisions are made for the education of the deaf and blind?

3. What is the legal definition of "a public school"?

4. What is meant by "the school year"?

5. What is a "school census"?

6. In what ways may a school district forfeit its portion of the school fund for the year?

7. When and where are school elections held?
8. When does the superintendent of public instruction apportion the school fund?
9. What is the "normal institute fund"?
10. What reports does the law require teachers to make?

DECEMBER.

1. Give the substance of the act designed to prevent frauds in the letting of public contracts.
2. When, and in what manner, may a special meeting be called in a district of the third class?
3. Define school age; school census.
4. What provisions govern appeals from the district board to the county superintendent? From the county superintendent to the state board of education?
5. What does the compulsory education act provide?
6. When, and in what amount, is the district treasurer required to give bond?
7. What persons may vote upon the question of contracting a bonded debt?
8. What formality is required in order that district warrants may be legal?
9. What provision does the Constitution of Colorado make concerning text-books?
10. What power has the state board of education in the matter of diplomas?

1898.

MARCH.

1. Give full explanation of the method of conducting the county teachers' examination.

2. Give grades and distinguishing features of county teachers' certificates.

3. When and by whom may a teachers' certificate be indorsed? When renewed?

4. What is a school year? A school month?

5. Name the powers of the school board?

AUGUST.

1. What is the legal method of securing free text-books in a school district?

2. When may a county superintendent appoint a school director?

3. What are the statutory provisions for holding normal institutes?

4. What are the statutory provisions concerning free Kindergartens?

5. For how long a term is a county superintendent elected? A school director?

DECEMBER.

1. Of what does the public school fund of Colorado consist?

2. What is the penalty for a county superintendent's failure to make report to the Superintendent of Public Instruction?

3. How may a Union High School be established?

4. To whom are the public schools of the state open?

5. In districts of the third class, what is the method of procedure in calling a special meeting?

1899.

MARCH.

1. When does Arbor Day occur? State the requirements of the law as to its observance by the public schools.
2. What is the purpose of the school census?
3. In the census of what district must a person of school age be listed?
4. In whom is vested the authority to prescribe textbooks and course of study for the public schools?
5. When is the annual school election held?
6. Discriminate between the general school tax and the special school tax.
7. What is a joint school district?
8. How many normal institute districts are there in Colorado? Give the number of the one in which you are writing the examination.
9. Explain fully the "like grade" certificate.
10. Name two powers of directors of first and second class districts not conferred upon directors of third-class districts.

AUGUST.

1. What officials constitute the State Board of Education? The State Board of Examiners?
2. Enumerate five powers and duties of school boards.
3. How is territory transferred from one district to another?
4. What is the provision concerning a teacher's final report?
5. How are vacancies in school boards filled in first-

class districts? In second- and third-class districts? For how long a period are the appointments made?

DECEMBER.

(Answer any eight questions.)

1. (a) How is the general school tax levied?
(b) What are its maximum and minimum limits in mills?
2. (a) What constitutes the general county school fund?
(b) For what purposes may it be used?
3. (a) How is the special tax levied?
(b) What is its limit in third-class districts?
4. (a) What determines the amount of special tax levy in third-class districts?
(b) In first- and second-class districts?
5. For what purpose may the special tax fund be used?
6. (a) What constitutes eligibility to the office of county superintendent?
(b) Are any educational qualifications required by law? Any experience in school work?
7. (a) Name titles of the different authorities authorized to issue licenses (certificates) to teach in the public schools of Colorado.
(b) Does the law delegate to the profession (teachers) any authority in this respect, or to pass upon the qualifications of those desiring to enter the profession?
8. (a) What is a registered warrant?
(b) What interest does it draw?
(c) Why this amount of interest?

9. When is a warrant illegal, even though drawn and signed by all members of the school board?

10. What is the law relative to records and reports of teachers? What is the penalty for non-compliance in this respect?

1900.

MARCH.

(Answer any eight questions.)

1. What records and reports are required of teachers by law?

2. What is meant by "school age"?

3. From what sources are the funds for the support of the public schools derived?

4. Give in full the process by which a new school district may be legally organized.

5. How is the Normal Institute fund raised?

6. What are the "National Holidays" designated by the school law?

7. What are the legal qualifications of an elector at a school election?

8. What is the law relative to employing a teacher without a license to teach?

9. Who constitute the State Board of Land Commissioners?

10. Who constitute the State Board of Education?

11. Who has control of the State Normal School?

12. What notice must be given to the county superintendent of the opening of school?

AUGUST.

1. What notice of opening school must be given the county superintendent?
2. May a teacher continue in charge of a school after the expiration of his certificate?
3. What is the law relative to non-resident pupils?
4. How does a creditor of a school district obtain his money?
5. What provision concerning text-books is made by the Constitution of Colorado?
6. What is the penalty for teaching without a proper license?
7. What is the maximum limit of the special tax in third-class districts?
8. What is the maximum limit of the special tax in second- and first-class districts?
9. Distinguish between the general school fund and the special school fund, and state the proper uses of each.
10. In what counties and upon what authority may a county high school be established?

DECEMBER.

1. How are school districts classified? How many directors in each class?
2. Name five legal duties of a school board.
3. When and for what purpose is the school census taken?
4. What is the maximum limit of general tax levied by the county for school purposes?
5. For what causes may a teacher's certificate be annulled?

1901.

MARCH.

1. What qualifications are necessary to entitle one to vote for director at the annual school meeting? What additional qualifications to vote on a question of creating a debt?

2. When is the annual school meeting held? State three powers reserved to the electors in third-class districts.

3. Give two powers of the school board in first-class districts not possessed by boards in third-class districts. When does a district become first class?

4. State two advantages of first-grade certificates over other grades issued by the county superintendent. What is meant by an "indorsed" certificate? When may a "like-grade" certificate be issued?

5. State five duties of a county superintendent.

AUGUST.

1. (a) What officials constitute the State Board of Education.

(b) Who are the present incumbents?

2. Who is the legal interpreter of the school law of this state?

3. Name, in order, the officials specially charged with the execution of the school laws.

4. What is the relation of the teacher to the school board?

5. Where and when must county examinations be held?

6. Name all the different kinds of teachers' license, or

certificate, recognized in this state, and tell by what authority each is issued.

7. For what causes may a teacher's certificate be revoked?

8. (a) Name all the sources from which school revenues are derived.

(b) State specially the difference between the general and special school fund.

9. What special branches are required to be taught in all schools?

10. What reports must teachers make?

DECEMBER.

1. Who has power to revoke certificates? Diplomas?

2. What is a school year? A school month?

3. What constitutes a legal warrant?

4. For what purposes may the general fund be used? The special fund?

5. What is the law governing the teaching of the effects of alcohol and narcotics? What is the penalty for failure to comply with the law?

1902.

MARCH.

1. From what sources are the funds obtained for the maintenance of the schools of a district?

2. State fully the provisions of the law relating to the teaching of the English language, Spanish, German, hygiene, humane treatment of animals.

3 to 5. State fully the provisions of the school law regarding requirements made of teachers.

AUGUST.

1. (a) What is a school census?
 (b) When taken?
 (c) Of what value is it to the district?
2. (a) What is the fee for teacher's examination?
 (b) For what purpose is the money obtained from this source used?
 (c) How is it apportioned?
3. (a) How does a district proceed to issue bonds?
 (b) For what amount may a district be bonded?
4. What is the "General Fund," and from what sources is it derived?
5. What provision is in the Constitution regarding textbooks?
6. (a) What districts may have kindergartens?
 (b) How are kindergartens supported?
7. How are vacancies filled in the board of directors of first-class districts?
8. How may districts be united?
9. How may districts be annulled?
10. (a) What is the "Special Fund"?
 (b) For what purposes may it be used?

DECEMBER.

1. What are the powers of electors at district meetings?
2. How are school taxes levied and collected?
3. How may vacancies in the offices of school directors be filled?
4. How are school districts classified, and what is the basis of classification?

5. What is the law in regard to the power to prescribe text-books to be used in the public schools?

1903.

MARCH.

1. Give four duties of the school boards of third-class districts. Give four duties of electors in third-class districts.

2. From what sources is the general school fund obtained? For what purpose may it be used?

3. From what source is the special school fund received? For what purpose may it be used?

4. What powers are granted to first-class district school boards, not granted to third-class district boards?

5. When a pupil becomes unruly, how may he be legally removed from school?

AUGUST.

1. State fully that portion of the school law relative to compulsory education in Colorado.

2. Give the different steps necessary in establishing a County High School.

3. Give three duties of the State Board of Education.

4. What kinds of certificates give license to teach in the public schools of Colorado? State how each may be obtained.

5. What offices does the State Superintendent of Public Instruction of this state hold *ex officio*?

What may a county superintendent hold *ex officio*?

ADDITIONAL COPIES OF THIS MANUAL.

PRICE, 25 CENTS, POSTPAID.

Address, GEO. R. MOMYER, Holly, Colo.

DEC 17 1903

LIBRARY OF CONGRESS



0 020 975 502 6